



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

MILWAUKEE COUNTY VETERANS TREATMENT INITIATIVE

**Milwaukee County Circuit Court
1st Judicial Branch of Wisconsin
901 North 9th Street
Milwaukee, WI 53233**



Milwaukee County VTI

POLICY AND PROCEDURES MANUAL

SECTION 1: MILWAUKEE VETERANS TREATMENT INITIATIVE

1.1 PROGRAM OVERVIEW/MECHANISMS

The Milwaukee County VTI is a broad based criminal justice initiative designed to link Veterans with evidence based services to address criminogenic needs through the Milwaukee County Early Intervention Program. It includes various mechanisms and programming corresponding to Veterans at all risk levels with the understanding those Veterans assessed at high risk will be considered only for Milwaukee County Drug Treatment Court¹ or Enhanced/Dosage Probation through the Wisconsin Department of Corrections.

1.2 MISSION STATEMENT OF THE MILWAUKEE COUNTY VETERANS TREATMENT INITIATIVE

The Mission of the **Milwaukee County Veterans Treatment Initiative** (hereinafter the “VTI”) is to successfully habilitate Veterans in recognition of their service to our country and the challenges it may present to them and their families by diverting them from the traditional criminal justice system by using evidence based practices and providing them with the tools and resources they will need to lead a productive and law-abiding life.

1.3 GOALS OF MILWAUKEE VTI

- a. Reinvigorate the core values of the military into the Veteran participants’ daily routine.
- b. Reduce Veteran participants’ criminal recidivism and other court contacts.
- c. Facilitate Veteran participants’ sobriety, abstinence and improved behavioral health.
- d. Increase Veteran participants’ compliance with treatment and other court ordered conditions.
- e. Assure available VA benefits and services are accessed by Veteran participants.
- f. Integrate community based treatment options and services for Veteran participants as appropriate.
- g. Improve Veteran participants’ family relationships and social support connections.
- h. Improve Veteran participants’ economic stability.

1.4 TARGET POPULATION

¹ The Milwaukee County Drug Treatment Court Policy and Procedures Manual incorporates references to the VTI for those veterans that are admitted to the Drug Treatment Court. Please refer to this document for more information about Drug Treatment Court.



Milwaukee County VTI

POLICY AND PROCEDURES MANUAL

U.S. Military Veterans who have committed a criminal offense and who are in need of the structure and support available through the Milwaukee VTI. Veterans who are charged with the offense of Operating While Intoxicated (“OWI”) as a 3rd or 4th offense (misdemeanor) must have a substance or mental health treatment issue in order to be eligible for a disposition under the VTI. Offenses must have been committed in Milwaukee County and not be subject to the exclusions identified in Paragraph 2.5.

1.5 ELIGIBILITY CRITERIA

- Face potential criminal charges in the Milwaukee County Circuit Court and not be subject to the exclusions identified in Paragraph 2.5.
- Have served in the United States Armed Forces and received a discharge other than dishonorable
- Is subject to approval by the Milwaukee County District Attorney’s Office to determine appropriateness for participation
- Participant must be represented by counsel throughout the duration of the VTI agreement

1.6 KEY COMPONENTS OF THE MILWAUKEE VTI

Like many treatment courts, the Milwaukee VTI has adopted, with slight modifications, the essential tenets of the ten key components as described in the U.S. Department of Justice Publication entitled *Defining Drug Courts: The Key Components*. Brief descriptions of these modifications are listed in the ten key components that follow this introduction. Although there are differences between drug courts, behavioral health courts, and the Milwaukee VTI, the *Key Components* provide the foundation in format and content for the essential elements of each of these courts. The Milwaukee VTI is a hybrid of substance abuse and behavioral health treatment courts, with the goal of servicing Veterans with addiction, serious behavioral health issues, and co-occurring disorders.



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

1.6.1 Key Component One: The Milwaukee VTI integrates alcohol, drug treatment, and behavioral health services with justice system case processing.

The Milwaukee County Veteran Treatment Initiative promotes sobriety, recovery and stability through a coordinated response to veteran's dependency on alcohol, drugs, and/or management of their mental illness. Realization of these goals requires a team approach. This approach includes the cooperation and collaboration of the traditional partners found in drug treatment courts and mental health treatment courts with the addition of the Department of Veterans Affairs Health Care Network, Veterans Benefit Administration, Veterans and Veterans family support organizations, Community agencies that support the health and wellness of Veterans, and County Veteran Services Officers (CVSO).

1.6.2 Key Component Two: Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.

To facilitate the veterans' progress in treatment, the prosecutor and defense counsel shed their traditional adversarial courtroom relationship and work together as a team. Once a veteran is accepted into the treatment court program, the team's focus is on the veteran's recovery and law-abiding behavior—not on the merits of the pending case.

1.6.3 Key Component Three: Eligible participants are identified early and promptly placed in the Milwaukee VTI or Drug Treatment Court.

Early identification of veterans entering the criminal justice system is an integral part of the process of placement in the Veterans Treatment Court program. Arrest can be a traumatic event in a person's life. It creates an immediate crisis and can compel recognition of inappropriate behavior into the open, making treatment difficult due to the veteran's denial for its need.

1.6.4. Key Component Four: The Milwaukee VTI provides access to a continuum of alcohol, drug, behavioral health and other related treatment and rehabilitation services.

While primarily concerned with criminal activity, substance abuse, and mental illness, the Veterans Treatment Initiative team also considers co-occurring problems such as primary medical problems, transmittable diseases, homelessness; basic educational deficits, unemployment and poor job preparation; spouse and family troubles—especially domestic violence—and the ongoing



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

effects of war time trauma. Many Veterans may be unaware of their eligibility for VA programs and services.

1.6.5. Key Component Five: Abstinence is monitored by frequent alcohol and other drug testing.

Frequent court-ordered, random drug testing is essential. An accurate testing program is the most objective and efficient way to establish a framework for accountability and to gauge each participant's progress.

1.6.6. Key Component Six: A coordinated strategy governs the Milwaukee VTI responses to participants' compliance.

A Veteran's progress through the treatment court experience is measured by his or her compliance with the treatment regimen. The Veterans Treatment Initiative rewards cooperation as well as responds to noncompliance. The Veterans Treatment Initiative establishes a coordinated strategy, including a continuum of graduated responses, to continuing drug use and other noncompliant behavior.

1.6.7. Key Component Seven: Ongoing judicial interaction with each Veteran is essential.

The judge is the leader of the Veterans Treatment Initiative. This active, supervising relationship, maintained throughout treatment, increases the likelihood that a Veteran will remain in treatment and improves the chances for sobriety and law-abiding behavior. Ongoing judicial supervision also communicates to Veterans that someone in authority cares about them and is closely watching what they do.

1.6.8. Key Component Eight: Monitoring and evaluation measures the achievement of program goals and gauges effectiveness.

Management and monitoring systems provide timely and accurate information about program progress. Program monitoring provides oversight and periodic measurements of the program's performance against its stated goals and objectives. Information and conclusions developed from periodic monitoring reports, process evaluation activities, and longitudinal evaluation studies may be used to modify the program.



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

1.6.9. Key Component Nine: Continuing interdisciplinary education promotes effective Milwaukee VTI planning, implementation, and operation.

All Veterans Treatment Court staff should be involved in education and training. Interdisciplinary education exposes criminal justice officials to veteran treatment issues, and the Department of Veterans Affairs, County Veteran Service Officers, and treatment staff to criminal justice issues. It also develops shared understandings of the values, goals, and operating procedures of both the Department of Veterans Affairs and the justice system components. Education and training programs help maintain a high level of professionalism, provide a forum for solidifying relationships among criminal justice partners, the Department of Veterans Affairs, veteran volunteer mentors, and treatment personnel, and promote a spirit of commitment and collaboration.

1.6.10. Key Component Ten: Forging partnerships among the Milwaukee VTI, the VA, public agencies, and community-based organizations generates local support and enhances the Milwaukee VTI's effectiveness.

Because of its unique position in the criminal justice system, the Veterans Treatment Initiative is well suited to develop coalitions among private community-based organizations, public criminal justice agencies, the Department of Veterans Affairs, Veterans and Veterans families support organizations, and substance abuse and mental health treatment delivery systems. Forming such coalitions expands the continuum of services available to the Veterans Treatment Initiative participants and informs the community about the Veterans Treatment Initiative concepts. The Veterans Treatment Initiative fosters system wide involvement through its commitment to share responsibility and participation of program partners.



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

SECTION 2: ENTRY AND REFERRAL PROCESS

2.1 DETERMINATION OF BENEFITS

Prior to being considered for placement in the Milwaukee VTI, a Veteran must have been assessed for eligibility. If determined eligible for care and services at the Department of Veterans Affairs (“VA”), the VA will be the designated treatment provider when appropriate. If the Veteran accepted into the Milwaukee VTI is not eligible for VA benefits, he or she will be referred to appropriate community based services through the Milwaukee County Behavioral Health Division, The Center for Veterans Issues (“CVI”), or other private insurance entities.

2.2 REFERRAL

Anyone may refer cases involving Veterans to the Milwaukee VTI, to include, but not limited to, judges, attorneys, the Veteran, Department of Corrections, family members, or victims.

2.3 REVIEW OF ELIGIBILITY

The District Attorney’s office will review the eligibility standards for the referred Veteran and determine if charges allow for participation in the VTI or any other Milwaukee County Early Intervention process. The Milwaukee County District Attorney’s office retains ultimate discretion to determine Veteran participation in the VTI on a case by case basis.

2.4 CHARGE DISPOSITION

A Veteran accepted to participate in the Milwaukee VTI will enter into one of the following types of agreements:

2.4.1. Milwaukee County Diversion Program: Veterans who are determined to be a low risk for re-offense – based upon the results of one or more scientifically validated criminal re-offense risk assessment scales – and who are not excluded by criteria listed below are provided the opportunity to be diverted from the criminal justice system. Diversion requires that these individuals, after being arrested for a crime that the Milwaukee County District Attorney’s Office (“MCDA”) determines can be proven beyond reasonable doubt (hereinafter referred to as the “provable charge”) which is not subject to legitimate 4th, 5th, and 6th amendment claims, meet specific program expectations and remain crime free for the term of the Diversion. All participants in the



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

Diversion Program will be required to have the assistance of legal counsel and will complete and sign a written Diversion Agreement. Those who successfully meet these conditions will not be subject to a criminal charge on their record. Those who fail to meet these conditions will be prosecuted for their provable charge.

2.4.2. Milwaukee County Deferred Prosecution Agreement: Those who are determined to be low/moderate to moderate risk for re-offense – based upon the results of one or more scientifically validated criminal re-offense risk assessment scales – and who are not excluded by criteria listed below, have the opportunity to have their judgment of conviction deferred for their provable charge, which is not subject to legitimate 4th, 5th, or 6th amendment claims, until such time as the individual has successfully demonstrated their ability to lead a pro-social, law abiding life. All participants of the Deferred Prosecution Agreement (“DPA”) Program will be required to have the assistance of legal counsel, and will complete and sign a written agreement. No defendant will be denied a DPA if they, in good faith, decline to waive a preliminary hearing or litigate a legitimate suppression motion. Those who are not successful in the DPA will be prosecuted for their provable charge. By virtue of the assessed risk level and/or nature of the offenses committed by individuals who might participate in this program, a permanent record of these Veterans’ arrest will be maintained, regardless of successful completion of the DPA.

Veterans’ who are on the Department of Corrections supervision who would otherwise meet the DPA eligibility criteria shall be considered on a case by case basis for a DPA in conjunction with a formal Alternative to Revocation

2.4.3. Deferred Sentencing Agreements: Veterans charged with Operating While Intoxicated (“OWI”) as a second offense may be allowed to enter into an agreement wherein the Veteran pleads guilty, is convicted, but sentencing is deferred for a period of 6 months. Similar to a DPA, the Veteran must agree to follow certain conditions designed to enhance their ability to lead a pro-social, law abiding life. Most notable among these is substance related treatment. Unlike a DPA, upon successful completion of the agreement, the conviction remains in effect and the state will recommend that the Veteran is sentenced to the lesser of a two tiered recommendation specified in the agreement. If the Veteran is not successful, the state will make a greater recommendation. The eligibility framework, treatment and monitoring, staffing requirements, responses and incentives are identical to the Early Interventions previously described.



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

2.4.4 Enhanced Probation: Veterans who are charged with the offense of Operating While Intoxicated (“OWI”) as a 3rd or 4th offense (misdemeanor) must have a substance or mental health treatment issue in order to be eligible for a disposition under the VTI. These Veteran participants may be allowed to enter an agreement whereby they will plead guilty, have judgment of conviction entered and placed on probation. Length of probation varies dependent on the offense level. Veterans must serve the mandatory minimum sentence as a condition of probation with a greater amount stayed for later use as a sanction. After serving the initial period, the Veteran must report to the probation agent, comply with the rules of supervision and also appear regularly in court as part of the VTI. Department of Corrections (DOC) will monitor, provide treatment resources for and advise the court on compliance within recommended or required treatment. Upon successful completion of probation, the balance of the conditional time will be permanently stayed and the Veteran will be successfully discharged from probation and the program. Violations warranting revocation may result in responses by DOC and/or the VTI court short of revocation. More serious violations will result in discharge from the program and probation revocation being sought by the DOC. Other mandatory provisions, (license suspension, Ignition Interlock Device, AODA and drivers safety plan) must be completed during probation.

2.5 CHARGES RESULTING IN EXCLUSION

- Residential Burglary: Individuals charged with residential burglary will be ineligible unless supported by the victim.
- Firearms charges: Any current charges involving a firearm are ineligible.
- History of Firearms: Felony firearm charges are ineligible. However, a person with a history of misdemeanor firearms cases in their past will be reviewed on a case by case basis by a Deputy District Attorney.
- Felony sex offenses: Individuals charged with a felony sex offense are ineligible unless otherwise approved by the Sensitive Crimes Deputy District Attorney.
- Crimes of violence: Any charge or history of homicide or other crime that involves great bodily harm as defined in Wis. Statutes Section 939.20 (14) unless approved by the District Attorney will be ineligible for an early intervention disposition.
- Public welfare and entitlement charges: Individuals with any charge (e.g., theft, attempt theft, forgery, fraudulent applications) wherein the defendant’s actions defraud or attempt to defraud a State of Wisconsin Agency (e.g., Workers Compensation, Unemployment Compensation, W2, etc.) are ineligible unless approved by a Deputy District Attorney.
- Domestic violence: Individuals charged with domestic violence will be reviewed on a case by case basis for an early intervention disposition by the Domestic Violence Team Captain or a Deputy District Attorney.



Milwaukee County VTI

POLICY AND PROCEDURES MANUAL

- Gang involved: Individuals with a history of arrests, criminal convictions or other information that is documented consistent with the provisions of Wisconsin Stats. Section 939.22(9) and (21) for gang related activity will not be eligible unless approved by a Deputy District Attorney.
- Drug offenses: Individuals charged with drug offenses are ineligible for Early Intervention if any of the following conditions exist²:
 - Individuals are in possession of drugs in the following amounts/weights or greater:
 - 500 or more grams of marijuana or,
 - 5 or more grams of cocaine or,
 - 3 or more grams of heroin, or,
 - 5400 or more milligrams of Oxycodone (180 pills of 30 mg Oxy or 68 pills of 80 mg pills) unless approved by the “Pill Prosecutor” or
 - 180 or more pills of Schedule II Narcotics (morphine, etc) unless approved by the “Pill Prosecutor” or,
 - 200 or more pills of Schedule III through V controlled substances unless approved by the “Pill Prosecutor” or,
 - Evidence suggests individuals have an ongoing pattern of distributing drugs over a period of six months or more for the sole or primary purpose of supporting themselves and/or others through the financial gains derived from drug distribution.

2.6 RELEASES

The Veteran must execute all appropriate releases to accomplish the goals and requirements of the Milwaukee VTI. Should a participant choose to revoke their release, it would lead to termination from the VTI or Early Intervention Program.

2.7 JUDICIAL REVIEWS/VETERANS COURT SESSIONS

2 Individuals in possession of prescription drugs must have their case “reviewed” by the “Pill Prosecutor” in the Violent Crimes Unit who specializes in such cases to determine eligibility for Early Intervention. Defendants employed by a Pharmacy, medical office, hospital or whose job duties permit access to prescription medications, and who then utilize their employment to fraudulently to obtain medications will only receive a Diversion or DPA if approved by the “Pill Prosecutor.” Any Early Intervention programming offered to persons holding a professional license/registration in the medical field must contain language requiring the defendant to notify the Department of Safety and Professional Services within 14 days of entry into the DPA/Diversion, and provide the Department with a copy of the criminal complaint, police reports, and DPA/Diversion agreement. Any DPA/Diversion offered to persons who utilized their employment in the healthcare field to obtain prescription medications must include a provision prohibiting the defendant from working in any capacity where they will have access to prescription medications during the pendency of the agreement.



Milwaukee County VTI

POLICY AND PROCEDURES MANUAL

The Veteran will, as ordered by the Milwaukee VTI, appear for a series of judicial reviews until it is determined that the Veteran has completed the requirements of their court agreement. If participating in a Diversion agreement, the review will occur with a member of the District Attorney's Office in lieu of a Milwaukee VTI judge.

2.8 GENERAL REQUIREMENTS

All participants will complete a diagnostic assessment as determined by the assigned monitoring agency. The following summarizes the types of conditions that may be required pursuant to the above-referenced agreements, which will vary based on assessed level of risk and need.

- Remain law abiding.
- Do not use or possess firearms without written court authorization. No use of any alcohol or alcohol based products if related to your case and/or directed by the agreement.
- No use of any drugs or controlled substances or illicit substances not prescribed by a physician and only if the prescription is shared with the Milwaukee VTI and probation officer, if any. Provide prescriptions for all prescribed medications to their respective case monitor within 48 hours of obtaining the prescription and utilize one prescribing physician for all medications unless medically contraindicated.
- Submit to all required alcohol and/or substance testing as ordered by the Milwaukee VTI within the established timelines.
- Promptly attend all court appearances, as required.
- Comply with individual treatment plan as established by the VA, community based service providers, or the probation officer.
- Cooperate with unscheduled home visits by probation officers, law enforcement officers, and Veterans Court Team members.
- Pay all fines, court fees, probation fees, and restitution as ordered by the Milwaukee VTI.
- Complete all required community service work and obtain written documentation of such on agency letter head.
- Participate in the Restorative Justice Program, as required.
- Work with the Veterans Peer Mentor assigned to each participant of Milwaukee VTI as deemed necessary.
- Attend self-help or community support groups, as ordered by the Milwaukee VTI, as appropriate.



Milwaukee County VTI

POLICY AND PROCEDURES MANUAL

- Participate in training or educational programming, as ordered by the Milwaukee VTI.
- Obtain and maintain employment/income, actively seek employment, or make progress toward educational goals, as appropriate.
- Secure stable and substance-free housing, as ordered by the Milwaukee VTI.
- Be respectful.

SECTION 3: STRUCTURED RESPONSES TO BEHAVIORS

3.1 RESPONSES

Responses are the imposition of a consequence as a direct result of a prohibited or undesirable activity. Responses are aimed at changing negative behavior of a specific Veteran participant. Responses are individualized in a manner as would be perceived as negative by the recipient, and such be sufficient to elicit the desired behavioral change. General responses are deemed ineffective in treatment courts.

3.1.1 Procedure for Imposing Responses: If the Veteran participant does not comply with the established treatment plan, the rules of the Milwaukee VTI, probation, Circuit Court Judge orders, or any other aspect associated with participation in the Milwaukee VTI, responses may be imposed, which may include, but is not limited to, the following:

- Warnings or admonishments
- Increased alcohol or substance testing
- Increased visits with probation officer and/or case monitor
- Increased appearances at court sessions
- Write an essay on a topic as identified by the Milwaukee VTI
- Increased participation in self-help meetings, such as AA, NA or CA
- Increased treatment, including but not limited to intensified Chemical Dependency treatment (outpatient to residential), treatment extensions, or increased therapy sessions
- Additional community service hours
- Incarceration
- Termination from the VTI

3.1.2 Unsuccessful Completion/Termination: Unless the Veteran participant has committed a new criminal offense, termination from the Milwaukee VTI generally occurs only after structured responses have been imposed and the Veteran participant continues to disregard the rules of their agreement.



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

3.1.3 Examples of Disregard for Program Rules: The Veteran participant has shown disregard for program rules when he or she has engaged in behaviors which may include, but is not limited to, the following:

- Absconding from any residential or inpatient treatment facility.
- Failing to attend treatment or therapy.
- Repeated positive alcohol or substance tests.
- Tampering with alcohol or substance tests to provide false results.
- Providing breath or substance samples from any other person and representing the sample as that of the Veteran participant.
- Committing criminal acts.
- Failure to attend VTI court sessions as required.
- Failure to make a good faith effort toward restitution requirements as applicable.

3.2 INCENTIVES

Incentives are responses to compliance, perceived as positive by the recipient as well as the VTI Team.

3.2.1 Procedure for Awarding Incentives: If the Veteran participant complies with the established treatment plan, the rules of the Milwaukee VTI, probation, Circuit Court Judge orders, and all other conditions or requirements associated with participation in the Milwaukee VTI, the team may award incentives, which may include, but is not limited to, the following:

- Praise, acclaim or recognition.
- Bus cards or tokens.
- Gift cards or gift certificates.
- Decreased visits with probation officer and/or case monitor
- Decreased appearances at court sessions.
- Forgiveness of additional community service hours.
- Sobriety or substance-free tokens and medallions.
- Successful completion of court agreement and/or recommendation of early termination from probation.



Milwaukee County VTI

POLICY AND PROCEDURES MANUAL

SECTION 4: TREATMENT PROTOCOL

4.1 INDIVIDUAL TREATMENT PLAN:

Treatment plans are flexible and adjusted based upon a Veteran participant's individual risks, needs and goals. The individualized treatment plan takes into account the Veteran participant's baseline functioning, individual capabilities, and holistic needs; which includes physical, behavioral, and spiritual interests. Individualized treatment plans are altered as needed to reflect the progress, or lack thereof, being made by the Veteran participant. Treatment plans will be developed in consultation with the assigned monitoring agency and, if applicable, the Recovery Support Coordinator, and will take into account identified criminogenic needs.

4.1.1 *Modification of the Individualized Treatment Plan:* If the individualized treatment plan is inadequate to meet the Veteran participant's needs (e.g., the Veteran participant exhibits symptoms of psychosis, suicidal ideation, self-injuring behavior, or continues to use alcohol or other substances), the Milwaukee VTI may request additional assessments, if necessary, in an effort to modify the level of treatment upon the recommendation of the Veteran participant's treatment providers. The Veteran participant may be required to move from an outpatient treatment venue to an inpatient or a residential treatment venue.

4.1.2 *Utilization of VA Services:* Veteran participants who qualify for services through the VA Medical Center or VA Clinics may be required to participate in treatment services according to the assessment/evaluation and treatment plan established for them at the VA unless otherwise provided for in their agreements.

4.1.3 *Utilization of Community-Based Services:* Veteran participants who do not qualify for VA benefits, or those who qualify for only limited VA benefits, may be required to participate in community-based programming based upon assessment/evaluation, treatment plan, and case plan established for them by other specified community based service providers. Veteran participants who qualify for any level of VA benefits may also be required to utilize community-based services as deemed appropriate to their individual treatment needs.

4.1.4 *Network of Treatment Providers:* The Milwaukee VTI maintains a network of community-based behavioral and medical health and chemical dependency treatment providers. Services include, but are not limited to:

- Outpatient behavioral health services
- Residential crisis center services
- Dual diagnosis programs



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

- Hospital-based programs
- Short and long-term residential treatment programs
- Outpatient treatment programs
- Psychiatric services
- Intensive outpatient case management services
- Educational services
- Faith-based services
- Work Force Connections

4.1.5 Referral to Services: The Milwaukee VTI Judge, in conjunction with recommendations from professional assessments and evaluations, may require Veteran participants to participate in specific programs based upon the person's clinical need, program and funding availability, the program administrator's ability and willingness to comply with the Veterans treatment initiative reporting requirements, the program's capacity to provide culturally appropriate services for the Veteran population, and the Veteran participant's willingness to engage the program appropriately.

4.1.6 Treatment Providers at Veterans Individual Court Sessions: Treatment providers, with whom the Milwaukee VTI maintains close communication, may appear in court and/or staffing for the purpose of providing input regarding their respective client to the Circuit Court Judge on the Veteran participant's progress in treatment, or to watch the Veteran participant's progress in court.

4.1.7 Monitored Medications: Veteran participants who require monitored psychotropic medications or other monitored medications are referred to appropriate agencies capable of both monitoring the medications and complying with reporting requirements to assure that the Veteran participant is medication compliant.

4.2 MILWAUKEE AREA VETERANS MENTOR PROGRAM

4.2.1 Peer Mentor: Dryhootch, LLC provides peer mentor services to participants of the Veteran Treatment Initiative. All mentors will be selected, trained, and overseen by the Peer Mentor Coordinator. A trained peer mentor will be assigned to Veterans identified in need of peer mentoring services. Individual mentors must be 21 years of age or older, and be a Veteran of the United States Military. Prior to provision of services, each mentor must complete orientation/training, complete a background check, and agreed to alcohol/drug screens at any point during their role as a Peer Mentor. Peer Mentors are subject to professional and ethical standards as defined by the State of Wisconsin. Training and oversight will occur on an ongoing basis by a Peer Mentor Coordinator, and



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

peers will submit a certificate of training completion to their supervisor. A Veteran Peer Mentor must possess the knowledge and experience necessary to safely and effectively provide support services to Veterans receiving mental health and substance abuse services. A Veteran Peer Mentor is engaged to develop a one-on-one relationship and function as both a positive role model and advocate for Veterans involved in the justice system. To protect the personal connection, mentors will not attend staffing, nor be a voting member of the team.

The role of the Veteran Peer Mentor includes, but is not limited to:

- Advocating for the needs of the Veteran and his or her family
- Teaching the Veteran how to develop skills necessary to self-advocate
- Serving as a mentor to the Veteran, instilling a sense of hope that resiliency and recovery are achievable goals
- Assist the Veteran in navigating multiple services systems
- Assist in determining eligibility for VA Health Care and connecting Veterans to such services
- Collaborate with community providers and Veteran support agencies to assist Veterans not eligible/not appropriate for VA Health Care in obtaining alternative affordable treatment options
- Assist Veterans in obtaining employment and housing
- Maintain confidentiality
- Fill out documentation after every peer contact within 72 hours of contact

4.2.2 Peer Mentor Coordinator: All mentors will be selected, trained, and overseen by the Peer Mentor Coordinator. Mentor coordinator will match participants while considering person centered factors such as branch and type of service, strengths, needs, mutual interests, life experiences, trauma history, and other commonalities. The Peer Mentor Coordinator, or their assigned designee, will attend staffing as part of the VTI team.

4.3 ETHICS AND CONFIDENTIALITY

Any program that specializes, in whole or in part, in providing treatment, counseling, assessment, and referral services for participants with alcohol and/or substance problems must comply with the Federal confidentiality regulations (42 C.F.S. § 2.12(e)). The federal regulations apply to programs that receive federal funding, and federal law prevails if there is a conflict with state laws.

There are two federal laws and a set of regulations that guarantee program participants will enjoy strict confidentiality of information about them when receiving alcohol and/or



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

substance assessment and treatment services. See, 42 U.S.C. §§ 290dd-3 and ee-3 and 42 C.F.R. Part 2.

Confidentiality of program participants is governed by 42 U.S.C. § 290dd, which encourages treatment and is applicable to most problem solving or specialty court programs. If the court orders screening, assessments, referrals, treatment, and/or diagnosis for a program participant, § 290dd will be applicable. Information that is protected by federal confidentiality regulations may always be disclosed after a program participant has signed a proper consent or waiver form. The regulations also permit disclosure without the program participant's consent in several situations, to include medical emergencies, program evaluations, and communications among program staff members.

Veteran participants who refuse to sign consent or waiver forms permitting essential communications to occur can be excluded from Milwaukee County VTI on a temporary basis in the hope that resistance to signing the consent or waiver forms will evaporate as treatment proceeds. Continued refusal to sign consent or waiver forms by the Veteran participant will be a ground for termination from the Milwaukee VTI.

Veteran participants in the Milwaukee VTI must be informed in writing of their privacy rights. Veteran participants who are eligible for VA healthcare must sign a VA Release of Information upon entering into the Milwaukee VTI. Information that is protected by Federal confidentiality regulations may only be disclosed after the Veteran participant has signed a proper consent form.

4.4 ROLES AND RESPONSIBILITIES OF THE MILWAUKEE VTI

4.4.1 Circuit Court Judge: The Circuit Court Judge supervises the Veteran participant through the Milwaukee VTI if subject to a DPA, DSA, Enhanced Probation Agreement or Veteran Track of the Drug Treatment Court. The supervision consists of contact during regularly scheduled court sessions, and is premised upon input from the Milwaukee VTI team. The Circuit Court Judge addresses the Veteran participant's behaviors, by imposing responses of various degrees for improper behavior and incentives of various degrees for proper behavior. The Judge will lead the Milwaukee VTI in making decisions that affect each Veteran participant in the aforementioned agreements. The goal of the Judge is to insure that the Veteran participant work toward the overall goals of the VTI program, as stated in paragraph 1.3.

4.4.2 Prosecutor: The prosecutor will utilize all available information about the potential Veteran participant that is known at the time his or her charges are negotiated to



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

determine eligibility and appropriateness for the program. The prosecutor will also be responsible for conferring with victims associated with the crimes committed by Veterans being considered for the VTI and DTC. The prosecutor will seek dispositions that will not only allow the Veteran to be successful in the Milwaukee VTI but will always promote public safety.

4.4.3 Defense Attorney: The defense attorney must always advocate for his or her client's legal rights. This includes advocating for the client's access to and continued participation in the Milwaukee VTI. The defense attorney will assist in determining eligibility of their client for the VTI. Counsel will assure that the client's confidentiality rights are met. The defense attorney will be available to provide ongoing limited legal representation to each Veteran participant throughout their justice involvement.

4.4.4 Treatment Providers: Treatment providers provide behavioral health, medical health, chemical dependency, and domestic abuse treatment or counseling based upon the Veteran participant's individual needs and goals. Treatment providers are invited to attend court program sessions for the Veteran participants they serve. Treatment providers will provide timely progress reports and input on various and appropriate treatment strategies and modalities, so the information may be utilized by VTI team during the staff meeting prior to the court session, (if applicable), or during court proceedings themselves.

4.4.5 Probation or Extended Supervision Officer: The probation or extended supervision officer provides intensive Department of Corrections supervision of assigned Veteran participants. The probation or extended supervision officer assures that Department of Corrections resources, which includes a broad range of rehabilitative and care management services, are provided to and properly utilized by their assigned Veteran participants. The probation or extended supervision officer is to work within the vision of the Milwaukee VTI determined to be in the best interest of each assigned individual Veteran participant. He or she will attend all staff meetings and court sessions, and organize and present progress and adjustment information during the staff meetings.

4.4.6 Evaluator: The Milwaukee VTI Evaluator will develop an evaluation plan and data collection strategy. The evaluator is responsible for completing a process and outcome evaluation. The evaluator is not required to attend VTI staffings or court dates on a regular basis.

4.5.7 Veteran Justice Outreach Coordinator/Community based Case Manager: The Veteran Justice Outreach Coordinator or Community Based Social Worker attends the staff meetings in person or by telephone and serves as the liaison between the Veteran



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

participant, the Veterans Court Program, and their respective treatment facility. He or She reviews evaluations and/or assessments from the VA medical center, clinic, or community based treatment, advises the Veterans Treatment Initiative Team and the Veteran's attorney on the behavioral health status of the prospective Veteran participant and recommends a program participation plan and/or an individualized treatment plan, refers the prospective Veteran participant for additional chemical, behavioral or medical health evaluations or assessments, as needed, collects ongoing information concerning the Veteran participants progress with treatment providers and compliance with court ordered conditions and provides progress and adjustment information.

4.4.8 Veterans Mentor Coordinator: The Milwaukee Area Veterans Mentor Program is governed by Mentor Coordinators who are independently working to assist Veterans at the earliest possible time they enter the legal system. See section 4.3 for a description of services offered.

4.4.9 Law Enforcement Liaison: The Law Enforcement Liaison assists in gathering information concerning the Veteran's criminal history/district contacts/gang or gun nexus to determine appropriateness for the VTI and DTC through communication with District officers and/or access to law enforcement intelligence databases. The Law Enforcement Liaison also coordinates law enforcement efforts to monitor Veteran participants (including home visits and other conditions of release pursuant to the agreement) as well as to locate absconders. He or She will also participate as the law enforcement representative in VTI and DTC staffings and appearances.

4.4.10 VTI Court Coordinator: The VTI Court Coordinator is responsible for the overall management of the VTI on behalf of the Office of the Chief Judge and Judicial Review Coordinator. This includes administrative assistance to the VTI Court Judge, coordinating the selection and admission of VTI participants, providing linkage to community-based treatment and service providers, coordinating VTI team agendas and staffing program participant compliance. Day to day responsibilities include ensuring activities and services are documented appropriately in paper and electronic files and working closely with the VTI Team to ensure that best and evidence-based practices are being followed. The Coordinator is responsible for monitoring performance outcomes and maintaining high quality services within the budget limits outlined in the contract.



Milwaukee County VTI POLICY AND PROCEDURES MANUAL

SECTION 5: DEFINITIONS

5.1 INDIVIDUALIZED TREATMENT PLAN

The Individualized Treatment Plan includes, but is not limited to, substance use treatment, individual and/or group therapy, self-help groups, behavioral health treatment and/or counseling, behavioral health and/or medical appointments, medication monitoring, domestic abuse groups and/or programming, involvement with additional evaluations and/or assessments and complying with all resulting recommendations, cognitive and/or behavioral modification therapies, and family and/or spouse counseling and/or therapy. Treatment plans will be developed in consultation with assigned monitoring agency, and will take into account identified criminogenic needs.

5.2 RELAPSE PREVENTION PLAN/WELLNESS RECOVERY ACTION PLAN

The Relapse Prevention Plan or WRAP is a continuing care plan Veteran participants may develop to demonstrate that they can stay sober and drug free, address their behavioral health and/or medical needs, provide for their own welfare, and account for how they will maintain a lifestyle that results in reduced risk for relapse, recidivism or regression of progress made in their behavioral or medical health after completing the VTI.